

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ONEBEACON AMERICA INSURANCE
COMPANY,
Plaintiff,

CIVIL ACTION
NO: 04-11753-JLT

vs.

BLUE WATER ENTERPRISES, INC.
Defendant.

STIPULATION

Now come the parties, in the above-entitled action, by and through their undersigned attorneys, and without waiving any rights or defenses, hereby stipulate that any settlement, or Award or Judgment entered against the plaintiff shall be reduced by \$1,626.98, which represents fifty percent (50%) of the Umpire's fees that have been incurred by the defendant to date and satisfied by the plaintiff.

Respectfully submitted,

FOR THE PLAINTIFF

FOR THE DEFENDANT

"/s/ Kenneth M. Chiarello"
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"/s/ Timothy Duffy"
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Dated: May 23, 2005